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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,678	03/31/2004	William Bryan Perry	60000500-1016	7729

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EXAMINER

LA, ANH V

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,678

Applicant(s)

WILLIAM BRYAN PERRY ET AL

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The drawings are objected to because in figure 1, blank boxes need to be labeled. For examples, box 26 should be labeled as - - processor--.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Bebernes.

Regarding claim 1, Bebernes discloses an automated warning system for a platform assembly comprising a measuring device 200, a warning device 213, 214, a processor 201 configured to receive information relating to at least one of the design and operation of at least one of the platform assembly and the object, determine a limit for the parameter based on the information (column 7, lines 1-35), compare the parameter to the limit, and activate the warning device to generate a warning when the parameter unfavorably compares to the limit (abstract, col. 6, lines 45-60, col. 7, lines 1-35).

Regarding claim 2, Bebernes discloses an audible warning device 213 and a visual warning device 214.

Regarding claim 3, Bebernes discloses the information relating to at least one of the design and operation of the platform assembly comprising at least one of a size of

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the platform assembly, a shape of the assembly, a size of a component of the assembly, a shape of a component of the assembly, a material of a component of the assembly, a configuration of a component of the assembly, a history of parameter values of the assembly, a configuration of an attachment between the assembly and the object, and a configuration of a support of the assembly (col. 7, lines 5-25).

Regarding claim 4, Bebernes discloses the processor being configured to select the parameter (col. 7, lines 1-25).

Regarding claim 5, Bebernes discloses the processor being configured to select the parameter based on the information relating to at least one of the design and operation of at least one of the platform assembly and the object (abstract, col. 7, lines 1-25).

Regarding claim 6, Bebernes discloses a platform assembly comprising a support 32, a platform 30 extending from the support, a measuring device 200, a parameter, a warning device 213, 214, a processor 201 configured to receive information relating to at least one of the design and operation of at least one of the platform assembly and the object, determine a limit for the parameter based on the information (column 7, lines 1-35), compare the parameter to the limit, and activate the warning device to generate a warning when the parameter unfavorably compares to the limit (abstract, col. 6, lines 45-60, col. 7, lines 1-35).

Regarding claim 7, Bebernes discloses an audible warning device 213 and a visual warning device 214.

Regarding claim 8, Bebernes discloses the design information comprising at least one of a size of the platform assembly, a shape of the assembly, a size of the support, a shape of the support, a material of the support, a size of the platform, a shape of the platform, a material of the platform, a size of the object, a shape of the object, a size of a component of the object, a shape of a component of the object, a material of a component of the object, a configuration of a component of the object, a configuration of the support, a configuration of the platform, a history of parameter values for at least one of the assembly and the object, and a configuration of an attachment between the assembly and the object (col. 7, lines 5-25).

Regarding claim 9, Bebernes discloses at least one of the support and the platform being attached to the object 10 (fig. 1).

Regarding claim 10, Bebernes discloses at least one of the support and the platform being positioned at least partially within the object 10 (fig. 1).

Regarding claim 11, Bebernes discloses a switch (abstract, col. 7, lines 1-50).

Regarding claim 12, Bebernes discloses the processor being configured to select the parameter (col. 7, lines 1-25).

Regarding claim 13, Bebernes discloses an automated warning system for a platform assembly attached to an object, comprising a measuring device 200, a warning device 213, 214, a processor 201 configured to compare the parameter to a limit, and activate the warning device to generate a warning when the parameter unfavorably compares to the limit (abstract, col. 6, lines 45-60, col. 7, lines 1-35).

Regarding claim 14, Bebernes discloses the processor 201 configured to receive information relating to at least one of the design and operation of at least one of the platform assembly and the object, determine a limit based on the information (abstract, col. 6, lines 45-60, col. 7, lines 1-35).

Regarding claim 15, Bebernes discloses an audible warning device 213 and a visual warning device 214.

Regarding claim 16, Bebernes discloses the information relating to at least one of the design and operation of at least one of the platform assembly and the object comprising at least one of a size of the platform assembly, a shape of the assembly, a size of a component of the assembly, a shape of a component of the assembly, a material of a component of the assembly, a configuration of a component of the assembly, a configuration of a component of the assembly, a size of the object, a shape of the object, a size of a component of the object, a shape of a component of the object, a material of a component of the object, a configuration of a component of the object, a history of parameter values for the object, and a configuration of an attachment between the assembly and the object and a configuration of a support of the assembly (col. 7, lines 5-25).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Healy, Whitmarsh, and Johnston disclose warning systems.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
September 16, 2005